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UNITED STATES OF AMERICA	)	IN THE COURT OF MILITARY
	)	COMMISSION REVIEW
	)	
	)	REQUEST FOR ADDITIONAL
	)	JUDICIAL DISCLOSURE
	)	
	)	CASE No. 07-001
	)	
v.	)	
	)	
	)	
	)	
OMAR AHMED KHADR	)	Convened by MCCO # 07-02
	)	Presiding Military Judge
	)	Colonel Peter E. Brownback III
	)	


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**TO THE HONORABLE, THE JUDGES OF THE COURT OF MILITARY  
COMMISSION REVIEW**

**Relief Sought**

COMES NOW Mr. Omar Khadr and respectfully requests that this Court provide the parties with copies of electronic mail correspondence between Captain John W. Rolph and the Office of the General Counsel, Department of Defense, referred to in Attachment (1) to the Court's Disclosure Concerning Motion to Abate and Motion to Attach Documents, dated 23 July 2007. The Defense appreciates the Court's candor in issuing the above-mentioned disclosure. Although the Defense Motion to Abate had not been filed, it is now clear the disclosed communications were communications between the Court and a party to the litigation relating to matters before the Court. Absent complete disclosure, it will be impossible for the parties to have "a fair opportunity to explore the impact" of the communications and to develop an appropriate record for review, *see United States v. Martinez*, 40 M.J. 82, 83 (C.M.A. 1994), including the precise identity of the official with whom the communications occurred.

Accordingly, the Defense requests disclosure of the aforementioned electronic mail correspondence.



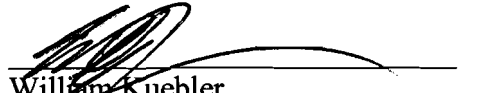
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PANEL No. \_\_\_\_\_  
GRANTED (signature) \_\_\_\_\_  
DENIED (signature) \_\_\_\_\_  
DATE \_\_\_\_\_

### **CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was emailed to this Court; Major Jeffrey D. Groharing, USMC; Captain Keith A. Petty, JA, USA; and Lieutenant Clayton Trivett, Jr., JAGC, USN on 25 July 2007.



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